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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,228	12/21/2001	Stephan Walter Gehring	202102 0272220	3490
22242	7590	05/04/2005	EXAMINER	
FITCH EVEN TABIN AND FLANNERY 120 SOUTH LA SALLE STREET SUITE 1600 CHICAGO, IL 60603-3406			PARTHASARATHY, PRAMILA	
			ART UNIT	PAPER NUMBER
			2136	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/032,228

Applicant(s)

GEHRING ET AL.

Examiner

Pramila Parthasarathy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-85 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-85 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/19/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the communication filed on July 15, 2004. No preliminary amendments to the specification were filed. Claims 1 – 85 are pending.

Information Disclosure Statement

2. An initialed copy of the information disclosure statement, filed on July 15, 2004 is attached to this office action.

Specification

3. The disclosure is objected to because of the following informalities: Page 2 paragraph [0026], replace 110_{a-x} with 110_{a-n}.

Appropriate correction is required.

The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

4. Claim 75 is objected to because of the following informalities:

Claim 75 recites "A computer readable medium of method as recited in claim 76..". For examining purposes, Examiner will treat Claim 75 to depend on Claim 73.

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

See MPEP 608.01 (j). Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 10, 11, 19, 30 and 41 – 57 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to

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reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Independent Claim 47 recites " a decryption unit configured to unencrypt the message ...". With respect to "unencrypt", although the specification discloses a decryption unit configured to decrypt the message, the specification does not disclose a decryption unit configured to unencrypt the message.

The dependent Claims 10, 19, 30 and 41 recite, " ...the peripheral device encryption key is received from human input to the host device".

With respect to "human input", although the specification discloses the system can receive the peripheral device encryption key, the specification does not disclose a method for receiving the peripheral device encryption key from human input.

The dependent claims 11, 42 – 46 and 48 – 57 are rejected at least by virtue of their dependency on the dependent claims.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 – 85 are rejected under 35 U.S.C. 102(e) as being anticipated by Hawkes et al. (U.S. Publication Number: 2002/0141591).

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7. Regarding Claim 1, Hawkes teaches and describes

a first encryption key storage unit configured to store a first encryption key (Page 5 paragraph [0065]);

a second encryption key storage unit configured to contain a second encryption key (Page 5 paragraph [0068] and Page 6 paragraph [0073]);

an encryption unit configured to encrypt a message containing a first encryption key, the message encrypted with the second encryption key (Page 5 paragraph [0068] and Page 6 paragraph [0073]);

a radio configured to transmit the message over a wireless network (Page 5 paragraph [0063]).

8. Regarding Claims 12, 23 and 34, Hawkes teaches and describes

receiving a second encryption key (Page 5 paragraph [0068] and Page 6 paragraph [0073]);

transmitting a message containing a first encryption key over a wireless network the message encrypted with the second encryption key (Page 6 paragraph [0070] and [0071]).

9. Regarding Claim 47, Hawkes teaches and describes

a first encryption key storage unit configured to contain a first encryption key (Page 5 paragraph [0065]);

a radio configured to receive a message over a wireless network from a host, the message encoded with the first encryption key and containing a second encryption key (Page 5 paragraph [0063] and Page 6 paragraph [0070]);

a decryption unit configured to unencrypt the message with the first encryption key (Page 6 paragraph [0073] and Page 7 paragraph [0080 – 0082]);

at least one temporary key storage unit configured to store the second encryption key (Page 5 paragraph [0068] and Page 6 paragraph [0073]).

10. Regarding Claims 58, 67 and 76, Hawkes teaches and describes

receiving a message over a wireless network from a host, the message encoded with a first encryption key and containing a second encryption key (Page 6 paragraph [0070 – 0071] and Page 7 paragraph [0080 – 0082]);

decrypting the message using the first encryption key, extracting the second encryption key (Page 6 paragraph [0073] and Page 7 paragraph [0080 – 0082]).

11. Claims 2 and 44 rejected as applied about in rejecting Claims 1 and 43.

Furthermore, Hawkes teaches and describes a decryption unit configured to decrypt a reply message received from the radio, the reply message encrypted with the first encryption key (Page 6 paragraph [0073] and Page 7 paragraph [0080 – 0082]).

12. Claims 13, 24 and 35 are rejected as applied about in rejecting Claims 12, 23 and 34. Furthermore, Hawkes teaches and describes receiving a reply message encrypted with the first encryption key (Page 7 paragraph [0074]).

13. Claims 48 and 60 are rejected as applied about in rejecting Claims 47 and 59. Furthermore, Hawkes teaches and describes encryption unit configured to encrypt a reply message with the second encryption key (Page 6 paragraph [0070] and [0071]).

14. Claims 59, 68 and 78 are rejected as applied about in rejecting Claims 58, 67 and 77. Furthermore, Hawkes teaches and describes storing the second encryption key in an encryption key storage unit (Page 5 paragraph [0068] and Page 6 paragraph [0073]).

15. Claim 3 is rejected as applied about in rejecting Claim 2. Furthermore, Hawkes teaches and describes a protocol management unit configured to convey the reply message to a host device (Page 5 paragraph [0060 – 0063]).

16. Claim 14, 25 and 36 are rejected as applied about in rejecting Claims 13, 24 and 35. Furthermore, Hawkes teaches and describes decrypting the reply message with the first encryption key (Page 6 paragraph [0073] and Page 7 paragraph [0080 – 0082]).

17. Claim 49 is rejected as applied about in rejecting Claim 1. Furthermore, Hawkes teaches and describes the radio is further configured to receive data messages over the wireless network from the host, the data message encoded with the second encryption key (Page 5 paragraph [0063]).

18. Claim 45, 69 and 79 are rejected as applied about in rejecting Claims 44, 68 and 78. Furthermore, Hawkes teaches and describes encrypt messages sent to the host with the second encryption key (Page 6 paragraph [0070] and [0071]).

19. Claims 4 and 50 are rejected as applied about in rejecting Claims 2 and 49. Furthermore, Hawkes teaches and describes a selector configured to select between the encryption key storage units as input to the encryption unit and decryption unit (Page 5 paragraph [0065] and [0067]).

20. Claims 5 and 51 are rejected as applied about in rejecting Claims 2 and 50. Furthermore, Hawkes teaches and describes a device control unit configured to aid the selector in the selection between the encryption key storage units (Page 5 paragraph [0065] and [0067]).

21. Claims 6, 15, 26, 37, 55, 62, 71 and 81 are rejected as applied about in rejecting Claims 5, 14, 25, 36, 54, 61 and 70. Furthermore, Hawkes teaches and describes

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wherein the second encryption key is symmetric (Page 2 paragraph [0038] and Page 7 paragraph [0080] – Page 8 paragraph [0091]).

22. Claims 7, 16, 27, 38, 54, 61, 70 and 80 are rejected as applied about in rejecting Claims 6, 15, 26, 37, 53, 60, 69 and 79. Furthermore, Hawkes teaches and describes wherein the first encryption key is symmetric (Page 2 paragraph [0038] and Page 7 paragraph [0074]).

23. Claims 8, 17, 28, 39, 43, 56, 63, 72 and 82 are rejected as applied about in rejecting Claims 7, 16, 27, 38, 42, 54, 62, 71 and 81. Furthermore, Hawkes teaches and describes wherein the second encryption key is a peripheral device encryption key (Page 5 paragraph [0063 – 0068]).

24. Claims 9, 18, 29, 40, 57, 64, 73 and 83 are rejected as applied about in rejecting Claims 8, 17, 28, 35, 54, 63, 72 and 82. Furthermore, Hawkes teaches and describes wherein the first encryption key is a host device encryption key (Page 5 paragraph [0063 – 0068]).

25. Claims 10, 19, 30 and 41 are rejected as applied about in rejecting Claims 9, 18, 29 and 40. Furthermore, Hawkes teaches and describes wherein the peripheral device encryption key is received from human input to the host device (Page 5 paragraph [0063 – 0068]).

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26. Claims 20, 31, 42 and 77 are rejected as applied about in rejecting Claims 18, 29, 41 and 76. Furthermore, Hawkes teaches and describes wherein the host device encryption key is stored within an encryption key storage unit (Page 5 paragraph [0063 – 0068]).

27. Claims 21, 32, 65, 74 and 84 are rejected as applied about in rejecting Claims 18, 29, 64, 73 and 83. Furthermore, Hawkes teaches and describes wherein the encryption key storage unit that stores the host device encryption key is a read only memory (Page 5 paragraph [0063 – 0068] and page 10 paragraph [0108]).

28. Claims 11, 22, 33, 46, 53, 66, 75 and 85 are rejected as applied about in rejecting Claims 10, 21, 32, 45, 52, 65, 73 and 84. Furthermore, Hawkes teaches and describes wherein the protocol management unit is configured to convey the reply message to the host device via the Universal Serial Bus protocol (Page 8 paragraph [0092 – 0093] and Page 9 paragraph [0107]).

Conclusion

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO Form 892. Applicant is urged to consider the references. However, the references should be evaluated by what they suggest to one versed in the art, rather than by their specific disclosure. The prior art submitted by applicant has been considered by the examiner and made of record in the file. If

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applicants are aware of any better prior art than those are cited, they are required to bring the prior art to the attention of the examiner.

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 571-272-3866. The examiner can normally be reached on Tuesday – Thursday 8:00a.m. To 3:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-232-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pramila Parthasarathy

April 29, 2005.


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